

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-42

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 15, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Fall
Supp.West Group
Publisher

To authorize, on a temporary basis, changes in solid waste disposal fees to be made by rulemaking and to establish a special account for solid waste disposal fees.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Solid Waste Disposal Fee Temporary Amendment Act of 2007".

Sec. 2. Section 8-3:606(e)(iv) of the Solid Waste Regulations, effective July 25, 1989 (D.C. Law 8-16; 36 DCR 4157), is amended as follows:

DCMR

(a) Subparagraph (B) is amended as follows:

(1) Strike the phrase "The proposed rules" and insert the phrase "Except as provided in subparagraph (B-i) of this paragraph, the proposed rules" in its place.

(2) Strike the phrase "anticipated incinerator repair costs" and insert the phrase "other anticipated costs attributable to the operation of the District's solid waste disposal facilities, including its solid waste transfer facilities" in its place.

(b) A new subparagraph (B-i) is added to read as follows:

"(B-i) Any change in the solid waste disposal fee established in accordance with the solid waste disposal fee-setting formula established pursuant to this act that is based on changes in fuel costs or other changes in the amounts paid by the District under a solid waste disposal contract that has been approved by the Council shall not be required to be submitted to the Council for review."

Sec. 3. Solid Waste Disposal Fee Special Account.

(a) There is established within the General Fund of the District of Columbia the Solid Waste Disposal Fee Special Account, into which shall be deposited all solid waste disposal transfer fee and disposal fee revenues, less any recycling surcharge, owed and accruing to the District.

Note,
§ 8-1015

(b) The Solid Waste Disposal Fee Special Account shall be nonlapsing, and revenues deposited into it shall not revert to the unrestricted fund balance of the General Fund of the

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District of Columbia at the end of any fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section, subject to authorization by Congress.

(c) The funds of the Solid Waste Disposal Fee Special Account shall be used to defray the expenses of operating, maintaining, and improving the District's solid waste transfer facilities, and to dispose of solid waste delivered to those facilities.

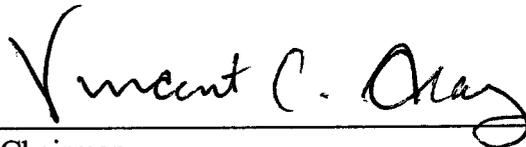
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

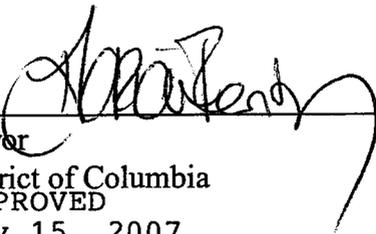
Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 15, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-43

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 15, 2007

To amend, on a temporary basis, the Closing of a Public Alley in Squares 739, the Closure of Streets, the Opening and Widening of Streets, and the Dedication of Land for Street Purposes (S.O. 06-221), Act of 2006 to include the closing of Canal Street (North), Canal Street (South), and a portion of 1st Street, S.E., in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Squares 739, the Closure of Streets, the Opening and Widening of Streets, and the Dedication of Land for Street Purposes (S.O. 06-221) Clarification Temporary Amendment Act of 2007".

Sec. 2. Section 2 of the Closing of a Public Alley in Squares 739, the Closure of Streets, the Opening and Widening of Streets, and the Dedication of Land for Street Purposes (S.O. 06-221), Act of 2006, effective March 14, 2007 (D.C. Law 16-282; 54 DCR 933), is amended by striking the last sentence and inserting the phrase "The Council further finds that the portions of Canal Street (North), Canal Street (South), and 1st Street, S.E., as shown on the Surveyor's plat filed under S.O. File 06-221, are unnecessary for street purposes and orders them closed, with title to vest as shown on the Surveyor's plat. The approval of the Council of these closings is contingent upon the satisfaction of all the conditions set forth in the official S.O. File 06-221." in its place.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor, the Office of Planning, the Building and Land Regulation Administration of the Department of Consumer and Regulatory Affairs, the Recorder of Deeds, and to the Office of the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of a Public Alley in Squares 739, the Closure of Streets, the Opening and Widening of Streets, and the Dedication of Land for Street Purposes (S.O. 06-221), Act of 2006, effective March 14, 2007

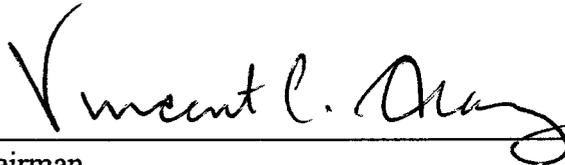
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(D.C. Law 16-282; 54 DCR 933), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat 813; D.C. Official Code § 1-206.02(c)(3)).

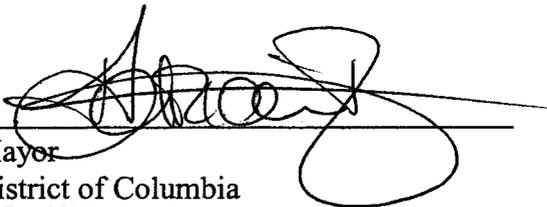
Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 15, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-44

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 15, 2007

*Codification
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To amend, on a temporary basis, the School Modernization Financing Act of 2006 to waive the approval requirements of the Facilities Master Plan and the facilities management organizational strategy; and to amend the Schools Modernization Amendment Act of 2005 to waive the submission criteria for the use of bond revenue.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Modernization Funds Submission Requirements Waiver Temporary Amendment Act of 2007".

Sec. 2. Section 103(b), (c), and (d) of the School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2971.03(b), (c), and (d)), is repealed.

Note,
§ 38-2971.03

Sec. 3. Section 4045(a) of the Schools Modernization Amendment Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D. C. Official Code § 1-325.44(a)), is repealed.

Note,
§ 1-325.44

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat 813; D.C. Official Code § 1-206.02(c)(3)).

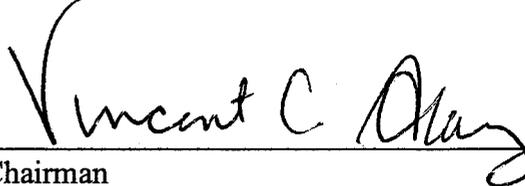
Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

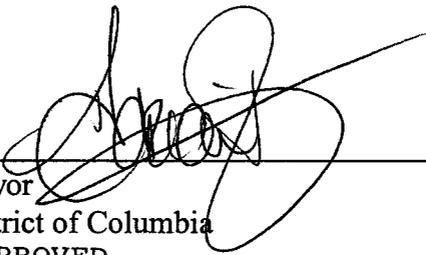
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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect or on October 1, 2007, whichever occurs first.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 15, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-45

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 15, 2007

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To amend, on a temporary basis, the National Capital Revitalization Corporation Act of 1998 and the Anacostia Waterfront Corporation Act of 2004 to clarify that the National Capital Revitalization Corporation and the Anacostia Waterfront Corporation are subject to the Freedom of Information Act of 1976 and the District of Columbia Public Records Management Act of 1985; and to amend the District of Columbia Public Records Management Act of 1985 to provide that its requirements and provisions also apply.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “National Capital Revitalization Corporation and Anacostia Waterfront Corporation Freedom of Information Temporary Amendment Act of 2007”.

Sec. 2. Section 8(f) of the National Capital Revitalization Corporation Act of 1998, effective September 11, 1998 (D.C. Law 12-144; D.C. Official Code § 2-1219.07(f)), is amended to read as follows:

“(f) The Corporation and its subsidiaries shall be subject to, and comply with, section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)); the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*); and the District of Columbia Public Records Management Act of 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1701 *et seq.*)”.

Note,
 § 2-1219.07

Sec. 3. Section 123(a) of the Anacostia Waterfront Corporation Act of 2004, effective December 7, 2004 (D.C. Law 15-219; D.C. Official Code § 2-1223.23(a)), is amended by adding a new paragraph (2A) to read as follows:

“(2A) The Corporation and its subsidiaries shall be subject to, and comply with, the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), and the District of Columbia Public Records Management Act of 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1701 *et seq.*)”.

Note,
 § 2-1223.23

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Sec. 4. Section 16(a) of the District of Columbia Public Records Management Act of 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1714(a)), is amended by striking the phrase "Public Service Commission," and inserting the phrase "Public Service Commission, the National Capital Revitalization Corporation, the Anacostia Waterfront Corporation," in its place.

Note,
§ 2-1714

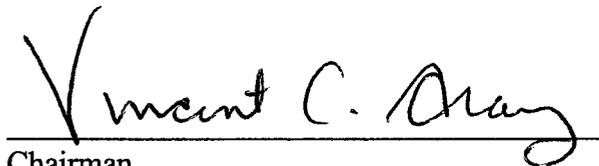
Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

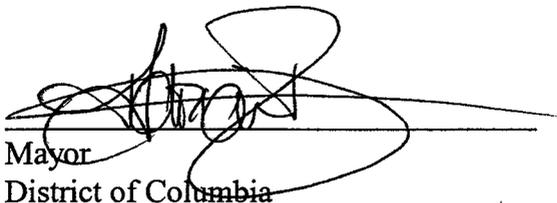
Sec. 6. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
May 15, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-46

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 15, 2007

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To repeal, on a temporary basis, Subtitle M of Title II of the Fiscal Year 2007 Budget Support Act of 2006 and Subtitle M of Title II of the Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2007 to allow stakeholders to address potential unintended consequences arising from the enactment of changes to the condominium and cooperative conversion fee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vacancy Conversion Fee Exemption Reinstatement Temporary Amendment Act of 2007".

Sec. 2. Subtitle M of Title II of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Act 16-476; 53 DCR 6899), is repealed as of March 2, 2007.

Note,
§ 42-3402.01

Sec. 3. Subtitle M of Title II of the Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2007, effective January 16, 2007 (D.C. Act 17-001; 54 DCR 1165), is repealed as of January 16, 2007.

Note,
§ 42-3402.10

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

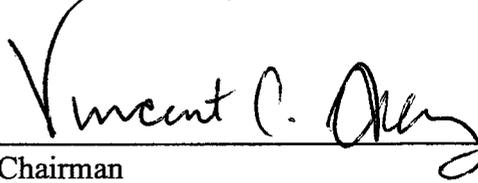
Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

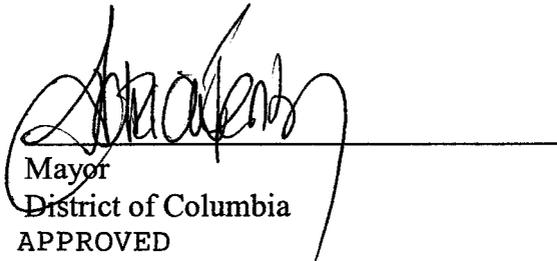
ENROLLED ORIGINAL

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 15, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-47

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 15, 2007

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To amend, on an emergency basis, section 47-2402(c) of the District of Columbia Official Code to clarify that stamps may be affixed only to packages of cigarettes whose brands are included in the directory of Tobacco Product Manufacturers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Cigarette Stamp Clarification Emergency Act of 2007".

Sec. 2. The second sentence of section 47-2402(c) of the District of Columbia Official Code is amended to read as follows: "Such stamps shall be affixed to the original packages of cigarettes included in the directory of Tobacco Product Manufacturers maintained pursuant to § 7-1803.03(b) and shall be cancelled in the manner prescribed by the Mayor."

Note,
§ 47-2402

Sec. 3. Fiscal impact statement.

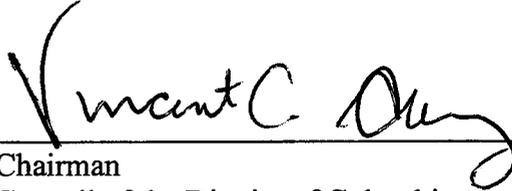
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206(c)(3)).

Sec. 4. Effective date.

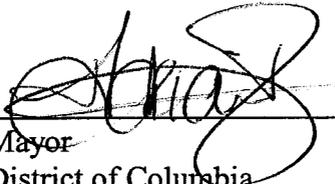
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 15, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-48

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 15, 2007

To approve, on an emergency basis, modifications to a contract for the construction of the Unified Communications Center under Contract No. POAM-2004-B-0014-BS with Jair-Lynch/Tompkins Joint Venture, and to authorize payment for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. POAM-2004-B-0014-BS Approval and Payment Authorization Emergency Act of 2007".

Sec. 2. Notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), modifications numbered 6 through 15 under Contract No. POAM-2004-B-0014-BS for the construction of the Unified Communications Center are approved and payment in the amount of \$1,903,411 is authorized for goods and services received, and payment in the amount of \$1,780,667 is authorized for goods and services to be received under that contract.

Sec. 3. Fiscal impact statement.

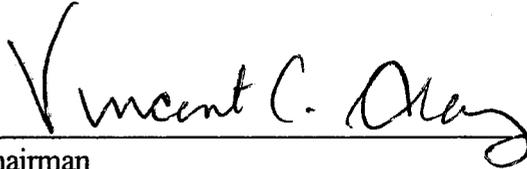
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

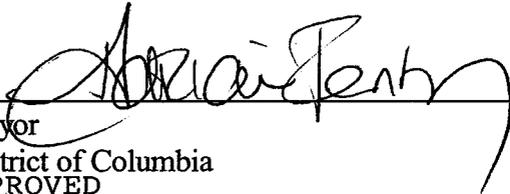
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of

ENROLLED ORIGINAL

the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 15, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-49

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 15, 2007

To approve, on an emergency basis, modifications numbered 6, 7, and 8 and proposed modification numbered 9 to Contract No. POAM-2004-D-0015-DW for security services, and to authorize payment for the services received and to be received under that contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications Nos. 6, 7, and 8 and Proposed Modification No. 9 to Contract No. POAM-2004-D-0015-DW Approval and Payment Authorization Emergency Act of 2007".

Sec. 2. Notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), modifications numbered 6, 7, and 8 and proposed modification numbered 9 for Contract No. POAM-2004-D-0015-DW for security services are approved and payment in the amount of \$1,863,056.00 is authorized for services received and to be received under that contract.

Sec. 3. Fiscal impact statement.

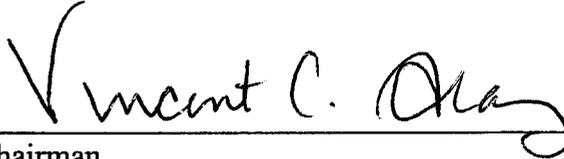
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

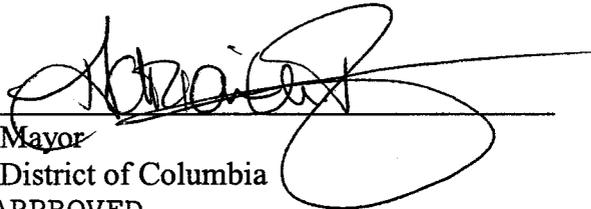
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
May 15, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-50

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 15, 2007

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To amend, on an emergency basis, the District of Columbia School Reform Act of 1995 to require that an existing tenant that is a public charter school in good standing or an organization providing educational or youth services under contract with the District government that has been a tenant since 2004 and is in good standing be given the right of first offer with regard to the purchase, lease, transfer, or use of a facility or property, and to clarify that nothing in the legislation shall be construed to deem the subject facility or property surplus or to authorize the Mayor to dispose of the subject facility or property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia School Reform Property Disposition Clarification Emergency Amendment Act of 2007".

Sec. 2. Section 2209(b)(1)(A) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)(A)), is amended as follows:

Note,
 § 38-1802.09

(a) Designate the existing text as sub-subparagraph (i).

(b) The newly designated sub-subparagraph (i) is amended by striking the phrase "this paragraph." and inserting the phrase "this paragraph; provided, that the right of first offer shall be offered to an existing tenant that is:

"(I)(aa) A public charter school that has occupied all, or substantially all, of the facility or property; or

"(bb) An organization providing educational or youth services under contract with the District government that has been a tenant of the facility or property, and has occupied all, or substantially all, of the facility or property since on or before December 1, 2004; and

"(II) In good standing on its existing lease agreement." in its place.

(c) A new sub-subparagraph (ii) is added to read as follows:

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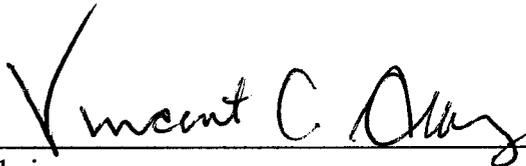
“(ii) Nothing in sub-subparagraph (i) of this subparagraph shall be construed to deem a facility or property to be surplus or to authorize the Mayor to dispose of a facility or property.”.

Sec. 3. Fiscal impact statement.

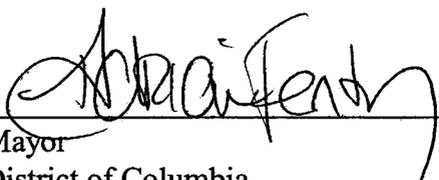
This legislation does not have a negative fiscal impact on the FY 2007- 2012 Budget and Financial Plan.

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 15, 2007